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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 RICHARD A. EVANS,

11 Plaintiff,

12 v.

13 R. MILAM, *et al.*

14 Defendants.
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Case No. 1:20-cv-00070-JDP

ORDER VACATING FINDINGS AND
RECOMMENDATIONS

ECF No. 3

ORDER DIRECTING THE CLERK'S
OFFICE TO OBTAIN A CERTIFIED
PRISONER TRUST STATEMENT

16 Plaintiff Richard A. Evans is a state prisoner proceeding without counsel in this civil
17 rights action brought under 42 U.S.C. § 1983. On January 14, 2020, plaintiff filed an application
18 to proceed *in forma pauperis* under 28 U.S.C. § 1915. ECF No. 2. On January 27, the court
19 issued findings and recommendations, recommending that plaintiff's application be denied under
20 the three-strikes provision of 28 U.S.C. § 1915(g). Plaintiff has since submitted numerous
21 materials in an effort to satisfy the "imminent danger" exception to § 1915(g). *See* ECF Nos. 6,
22 7, 8, 9. The submissions provide details on plaintiff's allegations concerning ongoing exposure to
23 toxins and standing water. Because we now find that plaintiff has satisfied the imminent danger
24 exception, the findings and recommendations at ECF No. 3 are hereby vacated. We will decide
25 plaintiff's application to proceed *in forma pauperis* when we have received a trust statement.

26 The clerk's office is directed to issue a notice to obtain a certified prisoner trust statement.
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IT IS SO ORDERED.

Dated: March 24, 2020


UNITED STATES MAGISTRATE JUDGE

No. 205.